

REMARKS

This paper responds to the Final Office Action mailed on June 4, 2009.

No claims are amended, no claims are canceled, and no claims are added; as a result, claims 1-2, 4-8, 10-13, 15-19, 21-24, 26-30, 32-35, 37-41, and 43-48 are now pending in this application.

§ 103 Rejection of the Claims

Claims 1, 4-5, 10-12, 15-16, 21-23, 26-27, 32-34, 37-38 and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,966,685 to Flanagan et al. ("Flanagan") in view of U.S. Patent No. 6,463,404 to Appleby ("Appleby) in further view of U.S. Patent No. 6,473,729 to Gastaldo et al. ("Gastaldo").

Claim 1 recites, in part:

receiving, from said first entity, an identifier of a second entity;
receiving, from said first entity, an identifier of a first language construct from said plurality of predetermined language constructs;
responsive to receipt of said identifier of said first language construct, determining a translated language construct corresponding to said first language construct, said determining further comprises...
retrieving said translated language construct from a table
based on said entity information and said first language construct (emphasis added)

In the most recent Office Action, the Examiner acknowledged that "Flanagan does not specifically teach ... retrieving said translated language construct from a table based on said entity information and said first language construct."¹ Instead, the Examiner argued that Gastaldo teaches this limitation.² Applicants respectfully disagree.

Gastaldo discusses a system for "assisting a translator to get the right translation for any phrase"³ in which a user inputs the text to be translated.⁴ Text is displayed so that the user can

¹ The Office Action at p. 3, lines 10-18.

² The Office Action at p. 4, lines 3-13.

³ Gastaldo, col. 1, lines 7 and 53-55.

⁴ Gastaldo, col. 5, lines 35-36.

select an unknown word or group of words.⁵ Once the word is selected, all possible noun phrases relating to a selected word are extracted and displayed to a user.⁶ One of the displayed noun phrases is selected⁷ and a database is queried to retrieve all pairs of sentences indexed by the selected noun phrase.⁸ These retrieved pairs of sentences are displayed and the user can select one of the retrieved sentences to more intensively study the proposed translation.⁹ Once the user has decided that the selected pair of translated sentences should be used for translating the selected word of the input text, a phrase extractor extracts the noun phrase from the selected sentence pair and inserts the translated noun phrase automatically into the translation of the input text.¹⁰ Figure 5 of Gastaldo is presented below to further illustrate the above.

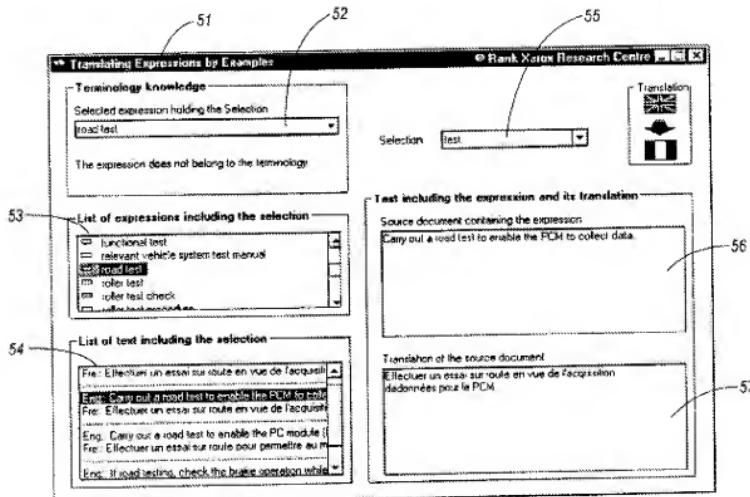


FIG. 5

⁵ Gastaldo, col. 5, lines 37-39.

⁶ Gastaldo, col. 5, lines 38-43.

⁷ *Id.*

⁸ Gastaldo, col. 5, lines 60-65.

⁹ Gastaldo, col. 6, lines 7-13.

¹⁰ Gastaldo, col. 6, lines 13-17.

Thus, in Gastaldo, noun phrases are extracted based on user selected text and pairs of sentences are retrieved based on selected noun phrases. As shown in Figure 5, however, there is no extraction or retrieval based on entity information of the second entity to which the translated language construct is communicated. In contrast, claim 1 recites “retrieving said translated language construct from a table based on said entity information.” Instead of retrieving a translated language construct based on entity information, Gastaldo relies on retrieving multiple pairs of sentences based on a selected noun phrase and a user selecting a pair of sentences that should be used to translate the user selected text. Furthermore, as arranged in the claims, the entity information of claim 1 is retrieved based on an identifier of a second entity. In Gastaldo, there is no second entity; instead, Gastaldo only assisting a single user/translator in translating a phrase.¹¹

Appleby discusses a machine translation system utilizing the interlingual approach in which modifiers capable of occupying more than one position are analyzed and the position occupied is recorded.¹² In Appleby, a translator program receives text from a client terminal, interacts with the user as necessary in order to clarify the text, and produces a translation of the text for supply back to the user.¹³ Appleby, however, does not teach or even hint at “retrieving said translated language construct from a table based on said entity information.”

Therefore, neither Flanagan, Appleby, nor Gastaldo teach the limitation in claim 1 of “retrieving said translated language construct from a table based on said entity information.” As Flanagan, Appleby, and Gastaldo fail to teach every feature of the claimed invention and the references do not teach what they are relied upon to teach, it would not have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Flanagan using the teachings of Appleby and Gastaldo to achieve the claimed invention. Applicants respectfully submit that independent claim 1 and its dependent claims are not obvious over Flanagan, Appleby, and Gastaldo.

Independent claims 12, 23, and 34 recite similar limitations. As a result, Applicants further submit that claims 12, 23, 34, and their respective dependent claims are not obvious over Flanagan, Appleby, and Gastaldo.

¹¹ Gastaldo, col. 1, lines 7 and 53-55.

¹² Appleby col. 1, lines 36-43.

¹³ Appleby col. 3, lines 54-60.

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116 - EXPEDITED PROCEDURE

Serial Number:09/976,301

Filing Date: October 11, 2001

Title: SYSTEM AND METHOD TO FACILITATE TRANSLATION OF COMMUNICATIONS BETWEEN ENTITIES OVER A NETWORK

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Applicants therefore respectfully request the Examiner to withdraw the 35 U.S.C. §103(a) rejections of pending claims 1-2, 4-8, 10-13, 15-19, 21-24, 26-30, 32-35, 37-41, and 43-48.

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CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (408) 278-4051 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402--0938
(408) 278-4051

Date 04 August 2009

By /Karen Kaufman/
Karen L. kaufman
Reg. No. 57,239

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 4th day of August, 2009.

Chris Bartl
Name

/C.B/
Signature